

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 09-36

Introduced by Council President Boniface at the request of the County Executive

Legislative Day No. 09-31 Date November 3, 2009

AN ACT to provide the County Executive, or his designee, with the authorization to execute, on behalf of Harford County, Maryland, an Intergovernmental Installment Purchase Agreement with Maryland Environmental Service, in substantially the form attached hereto, to purchase a parcel of real property, known as Prologis Park, Edgewood, Maryland 21040, containing approximately 134.210 acres, more or less, with all improvements located thereon, for the purchase price of \$4,950,000.00 to be paid in semi-annual payments for a term not to exceed 10 years; to pay principal, interest, administrative fees and financing costs on the outstanding balance as specified in the Intergovernmental Installment Purchase Agreement; and providing for and determining various matters in connection therewith.

By the Council, November 3, 2009

Introduced, read first time, ordered posted and public hearing scheduled

on: December 1, 2009

at: 6:00 pm

By Order: _____, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 1, 2009 and concluded on December 1, 2009.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

WHEREAS, Harford County has entered into a Memorandum of Understanding with Baltimore County and the Northeast Maryland Waste Disposal Authority to procure the design, permitting, construction and operation of a resource recovery facility to be located in Harford County; and

WHEREAS, in order to promote effective solid waste disposal practices, the General Assembly has authorized Maryland Environmental Service ("MES") to acquire real or personal property and to sell, lease, transfer and dispose of any property or interest in it that it has acquired; and

WHEREAS, MES is intending to acquire a parcel of real property located in the Edgewood area of Harford County and to convey this property to the County at a later date; and

WHEREAS, the County Executive proposes that Harford County, Maryland enter into an Intergovernmental Installment Purchase Agreement with MES, which is attached hereto, to enable the County to acquire real property and improvements known as Prologis Park, Edgewood, Maryland 21040, containing approximately 134.210 acres, more or less, (the "Property") for \$4,950,000.00 to be paid in semi-annual installments for a term of no more than 10 years and with the maximum annual payment not exceeding \$342,200.00, except in the year the balance of the purchase price is paid, and beginning no earlier than Fiscal Year 2011; and that he, or his designee, be given the authority to execute such agreement on behalf of Harford County, Maryland; and

WHEREAS, the purchase price for the Property is \$4,950,000.00; and

WHEREAS, the Property, which is located on and adjacent to Trimble Road in Edgewood, Maryland, is being acquired for the purpose of the future design, permitting, construction and operation of a resource recovery facility and/or access thereto; and

WHEREAS, Sections 520 and 524 of the Charter of Harford County, Maryland require that

1 all agreements and payments thereunder which would extend beyond the current fiscal year be
2 authorized by legislative act.

3 **NOW, THEREFORE,**

4 Section 1. Be It Enacted By The County Council of Harford County, Maryland that the County
5 Executive, or his designee, be, and is hereby, authorized to execute, on behalf of the County, the
6 Intergovernmental Installment Purchase Agreement with Maryland Environmental Service, in
7 substantially the form attached hereto, providing for payment by Harford County, Maryland of
8 \$4,950,000.00 to be paid in semi-annual installments for a term of no more than 10 years and with
9 the maximum annual payment not exceeding \$342,200.00, except in the year the balance of the
10 purchase price is paid, and beginning no earlier than Fiscal Year 2011.

11 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the
12 date it becomes law.

EFFECTIVE:

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately available for
distribution to the public and the press.*

Council Administrator